

The Keystone XL Pipeline:

Role of the U.S. Department of State

Under Executive Order 13337, the State Department (the Department) is responsible for reviewing all applications for presidential permits for the construction of pipelines crossing a United States border. After consultation with at least eight federal agencies, the Department determines whether approving the permit for the Keystone XL oil pipeline is in the U.S. national interest.

The Keystone XL is a proposed 1700-mile pipeline connecting the oil sands region of Alberta, Canada to the U.S. Gulf Coast. The pipeline, with a total capacity of 830,000 barrels per day, would move oil from the Canadian oil sands, the Bakken fields in North Dakota and Montana, and other domestic producers, primarily for delivery to refineries near the Gulf Coast of Texas and Louisiana. Because the pipeline would cross an international border, it requires a Presidential Permit.

In reviewing TransCanada's permit application, the Department is following a process defined by law and Executive Order.

Environmental Impact Statement

As part of its review, the State Department is preparing an Environmental Impact Statement (EIS) consistent with the National Environmental Policy Act (NEPA). In February 2009, the State Department held 20 meetings along the proposed pipeline route to obtain public input related to the EIS. Following a competitive request for proposals, the State Department selected the environmental consulting firm Cardno ENTRIX to help prepare the EIS. Cardno ENTRIX works under the direction and control of the State Department, while the applicant, TransCanada, incurs the costs of developing the EIS, a common practice in projects of this kind.

The State Department issued a Draft EIS on April 9, 2010. During the public comment period that followed, the Department held 21 public meetings along the pipeline route, and received more than 8,000 written comments. The Department issued a Supplemental Draft EIS on April 15, 2011. From April 15 to June 6, 2011, the Department received more than 200,000 public comments.



National Interest Determination

Once the State Department issues a Final EIS, the Department engages at least eight other federal agencies, seeking their input on whether issuing a permit would be in the national interest. The National Interest Determination will take into account the environmental and safety issues covered in the Final EIS, plus additional issues such as energy security, economic, and foreign policy considerations.

Final Decision

Per Executive Order 13337 the Secretary of State, or her designee, will make a decision on whether to issue the permit. Although the Department expects

to make a decision on whether to grant or deny the permit before the end of the year, no decision will be made until the completion of this thorough review process.

Engagement with Citizens and Interested Groups

Public engagement is critical to this process. The State Department has met frequently with the public to solicit their views on economic, energy security, environmental and safety issues. Over the course of the past 2 years it has held more than 40 meetings along the pipeline route and in Washington, DC. Additional meetings will be held along the pipeline route during the national interest period.

The State Department has met with many interested organizations, including:

Alliance for Climate Protection, BOLD Nebraska, Canadian Energy Resources Conservation Board, Canadian Association of Petroleum Producers, Center for Biological Diversity, Dakota Rural Action Network, Friends of the Earth, League of Conservation Voters, National Wildlife Federation, Native American Tribes and Canadian First Nations (more than 45 tribes), Natural Resources Defense Council, Nebraska Farmers Union, Nebraska Wildlife Federation, Public Citizen, Sierra Club, and TransCanada (the applicant).